



REPORT OF THE JOINT CMS/ACCOBAMS/ASCOBANS NOISE WORKING GROUP (JNWG)



REPORT OF THE JOINT CMS/ACCOBAMS/ASCOBANS NOISE WORKING GROUP (JNWG)

ORGANIZATION AND COMPOSITION

During the 2017-2019 triennium, based on lessons learnt from JNWG activities so far, and as foreseen in the Operational Procedures, the CMS, ACCOBAMS and ASCOBANS Secretariats agreed to amend the Group's Terms of Reference and Operational Procedures.

Membership is restricted to experts from the fields of science, policy and relevant civil society organizations that are members and observers of scientific and advisory bodies of CMS, ACCOBAMS and ASCOBANS, as well as additional experts jointly appointed by their Co-Chairs and Secretariats.

New Terms of Reference and Operational Procedures for a Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS were agreed and presented for information at the SC13 Meeting (26-28 February 2020, Cap d'Ail, France).

Regarding the composition of the JNWG, Mrs. Sigrid Lueber, OceanCare and Mr. Yanis Souami, SINAY were re-elected Chairs of the JNWG, and 5 new members joined the Group:

- Fernando Trujillo, Foundation Omacha, Colombia
- Danielle Krebs, YK-RASI, Indonesia
- Zhitao Wang, Institute of Hydrobiology, China
- Gill Braulik, University of St Andrews, UK
- Giuseppe Notarbartolo di Sciara, , member of the ACCOBAMS Scientific Committee

Moreover, an Industry Advisory Group (IAG) with the corresponding Terms of Reference and Operational Procedures was created to consult with industry experts on the technical feasibility of any proposed or alternative measures and/or solutions. Ross Compton, Energeo Alliance and Chris Waddington, International Chamber of Shipping have been elected as co-chairs.

WORK OF THE JNWG

A work Plan for the JNWG was submitted to CMS, ACCOBAMS and ASCOBANS in November 2020 (Annex).

a- Work done before the ACCOBAMS MOP8

- Review the report on Best Available Technology (BAT) and Best Environmental Practice (BEP) for Three Noise Sources: Shipping, Seismic Airgun Surveys, and Pile Driving (as per CMS COP Decision 13.59) in March-May 2021

Completed. →Members of the Joint Noise Working Group provided comments on the original report by May 30, 2022. The revised document was shared with the Industry Advisory Group for their input, much of which was accepted by the Joint Noise Working Group in their second review, during which also additional comments were submitted. At present, the report is being finalized and will be submitted to the CMS Scientific Council for final review as per Decision 13.60.

- Review the ACCOBAMS Noise Hotspot Report II

The JNWG (and the IAG), as Recommended by the Scientific Committee (SC) in Recommendation 14.6, was invited to review the updated Draft Hotspots Report II with a view to provide additional information, including information concerning impulsive noise-generating activities in the Agreement Area since 2016.

- In the framework of the QUIETMED2 project → participation to 2 workshops for development of assessment methodology for Impulsive Noise (2019 and 2020), feedback and suggestions for improvement of documents developed during Quietmed-2.
- In the framework of the involvement of ACCOBAMS in the TG-Noise → contribution to the following TG-Noise Deliverables:
 - DL1: development of risk-based assessment framework for Impulsive Noise (2020)
 - DL3: development of risk-based assessment framework for Continuous Noise (2021)
 - DL2: Recommendations for EU threshold values for impulsive sound
 - DL4: Recommendations for EU threshold values for continuous sound
 - All four documents have been endorsed by the Marine Strategy Coordination Group (MSCG) and now constitute official EU document. Especially, DL2 and DL4 contain thresholds for management of noise-producing activities.
- In the framework of the ongoing EU QUIETSEAS project, ACCOBAMS has to organize a workshop with project partners + some members of the JNWG.
 - Held in March 2022 in Monaco; contribution from participants to the discussion on setting thresholds to the amount of habitat of cetaceans affected by noise
- In the framework of NETCCOBAMS → Members of the group participated into the development of the methodology for calculating acoustic risk areas for cetaceans;

b- Work still to be planned / addressed

- Follow-on workshops on sonar with navies
- Helping with study on the extent and temporal variability of the habitat of species that are known to be particularly vulnerable to man-made noise (e.g., *Ziphius cavirostris*)
- Developing the concept of “quiet zones” as outlined in Recommendation 10.5 of the ACCOBAMS Scientific Committee with a focus on a quantitative elaboration and evaluation of the scientific evidence for establishing such areas both in space and time
- Upon request, support Parties that have not yet done so in establishing national noise registries (CMS Res. 12.14)
- Provide Advice on the draft Decisions related to underwater noise to be considered by CMS COP14

c- Difficulties encountered and perspectives

- Ambitious Work Plan: 12 items and 23 sub-items among regular tasks and specific mandates from ACCOBAMS, ASCOBANS and CMS
- Additional requests regularly received by the JNWG for advice on issues regarding underwater noise (e.g., from the GFCM to review and comment their noise-related work, from MEDPOL with regards to noise assessments for the EcAp process, from TG-Noise to contribute to develop assessment methodology...).
- Several items of the Work Plan are lagging behind (e.g., quiet zones) and difficulties to carry out the requested work are pointed out.
- Foreseeable increase of workload in the next future following the adoption of last TG-Noise guidance, as well as the acceleration of the implementation of noise-related monitoring and assessment programs under the scope of the Barcelona Convention.

ANNEX: WORK PLAN (VERSION: NOVEMBER 2020) FOR THE JNWG OF CMS, ACCOBAMS AND ASCOBANS

Work Plan (version: November 2020) **for the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS**

The members of the JNWG serve in a volunteer capacity. It is understood that the limited time available to members might make it necessary for the JNWG to prioritise tasks, and that not all requests might be fulfilled in each intersessional period.

Regular Tasks

The JNWG will:

1. Review new information on underwater noise, its impacts on species covered by CMS, ACCOBAMS and ASCOBANS and their prey species, mitigation measures, technological developments, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action.
2. Prepare a report on progress and new information to each meeting of the CMS Scientific Council, ACCOBAMS Scientific Committee and ASCOBANS Advisory Committee, in particular including:
 - a) Updated information on:
 - New available information on underwater noise, its effects on marine species (including migratory species and their prey), as well as the effective assessment and management of this threat
 - Relevant activities and developments in other international bodies (both regional and global) and under the EU Marine Strategy Framework Directive
 - Relevant developments and new literature especially with respect to technologies aimed at mitigating the propagation of marine noise and noise sources that may present a threat to marine life and how cetaceans are affected
 - Parties' progress in implementation of the resolutions mentioned above, as appropriate
 - b) Advice on Best Available Techniques (BAT) and Best Environmental Practice (BEP) in efforts to reduce or mitigate marine noise pollution, e.g. by
 - Improvement of existing guidelines based on new scientific findings
 - Detailing available mitigation measures, alternative technologies and standards required for achieving the conservation goals of the treaties
 - Recommending appropriate biological indicators and thresholds
 - c) Provision of advice on:
 - Collaboration with other international bodies, such as Barcelona Convention, Black Sea Commission, OSPAR, HELCOM, CBD, IMO, IWC and ICES
 - Requirements of the relevant other bodies that countries have elected to adhere to with respect to underwater noise, such as European Directives (i.e. the Marine Strategy Framework Directive and the Habitats Directive)
 - Opportunities for influencing decisions of other relevant bodies in order to achieve more effective protection of marine life from impacts of underwater noise
3. Design, and help implement as appropriate, pilot projects to test and improve the existing noise guidelines (ACCOBAMS Res. 7.13 and ASCOBANS AC17/Doc.4-08) and mitigation measures for their application in the field
4. Respond to additional requests for support by CMS, ACCOBAMS or ASCOBANS, transmitted through the Secretariats, as required.

Specific CMS Mandates

1. Decisions 13.58-13.60
 - Review of the report on Best Available Technology (BAT) and Best Environmental Practice (BEP) for Three Noise Sources: Shipping, Seismic Airgun Surveys, and Pile Driving published as CMS UNEP/CMS/COP13/Inf.9, which after consideration by the Scientific Council will be published as CMS Technical Series
 - Provide advice to the Scientific Council on the need of developing noise mitigation guidelines on shipping, seismic airgun surveys, and pile driving
 - Review the need for additional guidance on mitigation technologies and management measures for additional noise-generating activities
 - Advice on the need for updating the CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities and/or its Technical Support Information prior to the 14th meeting of the Conference of the Parties of CMS
2. Resolution 12.14
 - Upon request, support Parties that have not yet done so in establishing national noise registries to collect and display data on noise-generating activities in the marine area to help assess exposure levels and the likely impacts on the marine environment, and that data standards are made compatible with regional noise registries, such as the ones developed by ICES and ACCOBAMS

Specific ACCOBAMS Mandates

1. Resolution 7.6
 - Advising on the need for updating the ACCOBAMS Guidelines to address the impacts of anthropogenic noise on cetaceans in the ACCOBAMS Area
2. Resolution 5.13
 - Developing, in collaboration with Parties, non-Parties, as well as NATO and other stakeholders as necessary, implementable measures to reduce impacts of intense noise activities within areas identified as of special concern for Cuvier's beaked whales for consideration by the Meeting of the Parties of ACCOBAMS
3. Resolution 5.15
 - Supporting the ACCOBAMS Scientific Committee over the study on the extent and temporal variability of the habitat of species that are known to be particularly vulnerable to man-made noise (e.g., *Ziphius cavirostris*), in order to ensure that more data are made available, to increase the model's robustness and to compare different algorithms for best results
4. Resolution 7.13
 - Further developing the concept of "quiet zones" as outlined in Recommendation 10.5 of the ACCOBAMS Scientific Committee with a focus on a quantitative elaboration and evaluation of the scientific evidence for establishing such areas both in space and time

Specific ASCOBANS Mandates

1. Resolution 9.1
 - Support the Advisory Committee in reviewing new information on underwater noise, its impacts on small cetaceans and their prey species, mitigation measures, technological developments, best practices and guidelines. Make recommendations to Parties and other relevant authorities for further action by

Work Plan (version: November 2020)
for the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS

AC26 (document deadline 9 Oct 2021), also noting national reports submitted by Parties (ASCOBANS Work Plan, Activity 7)

- Support the Advisory Committee in assessing whether national navies' mitigation protocols for use of military sonar are effective. This requires Parties to request the mitigation protocols from the navies. Depending on delivery of the protocols, the Secretariat will request input from JNWG in advance of AC26, scheduled for 8-12 Nov 2021 (ASCOBANS Work Plan, Activity 8)

2. Resolution 8.3

- Contribute to improving knowledge on impact of impulsive and continuous anthropogenic underwater noise on harbour porpoises, and development of threshold limits of significant disturbance and GES indicators (Jastarnia Plan, Action RES-07)
- Contribute to evaluation of implementing regionally harmonized national threshold limits and guidelines for regulation of underwater noise (Jastarnia Plan, Action MIT-05)